

## REMARKS

This Response is submitted in reply to the Final Official Action mailed August 12, 2008 and Advisory Action mailed November 19, 2008.

Applicant notes the Claims 33 and 35 have been amended herewith. Specifically, claim 33 has been amended to recite, *inter alia*, wherein the first medical device includes a first communication unit capable of transmission and reception with the second medical device, the first medical device transmits identification information, synchronization information, and driving information of the treatment equipment and receives the driving information of the second medical device, and the second medical device receives the identification information, the synchronization information, and the driving information of the treatment equipment from the first medical device and transmits the driving information when the second medical device is to be driven. Claim 35 has been amended to recite, *inter alia*, wherein the second medical device includes a second communication unit capable of transmission and reception with medical device, the second medical device transmits identification information, synchronization information, and driving information of the treatment equipment and receives driving information of the first medical device, and the first medical device receives the identification information, the synchronization information and the driving information of the treatment equipment from the second medical device and transmits the driving information when the first medical device is to be driven. No new matter has been added to the application by way of the aforementioned amendments. For example, Applicant directs the Examiner's attention to Figure 7 and its corresponding description at pages 31-38.

Applicant submits that all of the pending claims are patentably distinct from the cited references.

In the Final Official Action, claims 33-42 were rejected under 35 U.S.C. § 102(b) as being anticipated by Takahashi, JP 2000-197252 (hereinafter the “252 reference” or “Takahashi”) or in the alternative under 35 U.S.C § 103(a) as being obvious over the same.

Applicant submits that the cited reference fails to teach or suggest the claimed communication unit. At best, the reference teaches transmitting a control signal to a second medical device allowing or forbidden driving with the attached treatment equipment. The reference states that if it identifies that the ultrasonic probe is connected to the output unit 102, the control section will be in a condition that control section 122 forbids the ultrasonic unit and gang control in response to delivery. A signal which forbids gang control is sent to the control section 122 of the water aspirator 103. When the switch 106 is operated, the actuation is only told to the ultrasonic output side 102. *See* Paragraph 0075 and 0076.

The reference does not teach that the first communication unit transmits identification information, synchronization information, and driving information of the treatment equipment to the second medical device and receives the driving information of the second medical device or the second medical device receives the identification information, the synchronization information, and the driving information of the treatment equipment from the first medical device and transmits the driving information when the second medical device is to be driven or vice versa, i.e., second communication unit, as claimed in claims 33 and 35.

The claimed invention has an advantage over the cited prior art. The claimed invention provides a decentralized control by having the control in all of the medical devices, e.g., the first

and second medical devices. By transmitting the identification information, synchronization information, and driving information, any device in the system can make its own decision. In the case of decentralized control, since each apparatus can perform the control, it is only required to input, in a new apparatus to be added, the new synchronized driving information with the other devices. The claimed invention provides easy expandability. Notably, in Takahashi if the ultrasonic output device (or electrocautery device) is the first device or the main device, and the insufflator, etc., is the supporting device, to allow a new supporting device and its corresponding new treatment instrument to be used, it is required that the main device or first device is updated or upgraded because the main device or **first device is performing centralized control**.

Therefore, claims 33-42 are patentable over the cited reference; the reference fails to teach, suggest or render obvious, each and every limitation of the claims.

Furthermore, Applicant submits that claims 36 and 37 are patentable over the cited reference based at least upon the following additional analysis. Notably, while the '252 reference teaches periodic transmission of the identification information, the '252 reference does not teach using a failure to receive the identification information as a reason to stop the second device, as recited in claims 36 and 37. The Examiner has not established that these limitations are obvious.

In view of the above, it is respectfully submitted that this application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicant's

attorneys would be advantageous to the disposition of this case, the Examiner is requested to telephone the undersigned.

Respectfully submitted,

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